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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,109	06/15/2001	John J. Altavilla	FIS920000193US1	7735
7590	11/05/2004		EXAMINER	
George R. Pettit Connolly Bove Lodge & Hutz LLP P.O. Box 19088 Washington, DC 20036-3425			ENGLAND, DAVID E	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 11/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/882,109

Applicant(s)

ALTAVILLA ET AL.

Examiner

David E. England

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 06/15/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1 – 19 are presented for examination.

#### ***Claim Objections***

1. Claim 2 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitation of “prompting a user” is well known in the art to occur whenever a user deals with sending, receiving and editing an email message.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 3, 5 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohler (6192396) in view of Voticky et al. (6351764) (hereinafter Voticky).

Art Unit: 2143

4. As per claim 1, as closely interpreted by the Examiner, Kohler teaches a process for identifying an attention level in an electronic mail item being sent to multiple recipients comprising:

5. creating a list of addresses for said recipients, (e.g. col. 6, lines 43 – 53);

6. creating a text message for each of said recipients which includes each of said addresses, (e.g. col. 9, lines 17 – 31);

7. forwarding said text message to said recipients, (e.g. col. 6, lines 43 – 53), but does not specifically teach appending to each of said addresses a tag representing an attention level for said recipients;

8. displaying for each recipient said text message with an attention level indication in response to the tag associated with the recipients address.

9. Voticky teaches appending to each of said addresses a tag representing an attention level for said recipients, (e.g. col. 4, lines 41 – 50);

10. displaying for each recipient said text message with an attention level indication in response to the tag associated with the recipients address, (e.g. col. 3, line 61 – col. 4, line 6). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Voticky with Kohler because it would be more convenient for a user to view the type of email they are receiving with the attention level also being displayed so the user can act on any pertinent information or activities that need their immediate attention.

11. As per claim 3, Kohler teaches selecting an address from a table containing said address list, (e.g. col. 5, line 66 – col. 6, line 12), but does not specifically teach selecting said attention level from a table displayed on a user's display screen;

12. attaching a tag representing said attention level to said selected address.

13. Voticky teaches selecting said attention level from a table displayed on a user's display screen, (e.g. col. 4, lines 41 – 50);

14. attaching a tag representing said attention level to said selected address, (e.g. col. 4, lines 41 – 50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Voticky with Kohler because it would be more convenient for a user to have a list of basic attention levels to choose from, (i.e. high, medium, low), instead of having a large list of different attention level that can become cumbersome to a user.

15. As per claim 5, Kohler does not specifically teach comprising ordering each message to be displayed by a recipient according to said attention level. Voticky teaches comprising ordering each message to be displayed by a recipient according to said attention level, (e.g. col. 4, line 64 – col. 5, line 8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Voticky with Kohler because it would be more efficient for a user to view the emails that are most important to them first then emails that are less important or have no importance at all.

16. As per claim 6, Kohler teaches identifying a specific portion of said text message to be highlighted for a specific address, (e.g. col. 7, lines 41 – 49); and

Art Unit: 2143

17. attaching a tag to said specific address identifying said highlighted portion of said text, (e.g. col. 7, lines 41 – 49).

18. As per claim 7, Kohler and Voticky teach all that is similar above which also pertains to claim 7, furthermore, Kohler teaches displaying a table of said addresses following highlighting of said text, (e.g. col. 5, line 66 – col. 6, line 12 & col. 7, lines 41 – 49); and

19. selecting said address from said table which is to receive said tag identifying said highlighted portion, (e.g. col. 7, lines 41 – 49).

20. Claims 2 and 8 – 19 are rejected for similar reasons as stated above.

21. Claims 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohler (6192396) in view of Voticky (6351764) in further view of Rochkind (6301608).

22. As per claim 4, Kohler and Voticky do not specifically teach attaching a tag representing a default attention level when an attention level is not specified for an address.

23. Rochkind teaches attaching a tag representing a default attention level when an attention level is not specified for an address, (e.g. col. 6, lines 33 – 46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Rochkind with the combine system of Kohler and Voticky because it would be more convenient for a user to not have to always select a attention level if there is nothing to draw the user's attention to.

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
25. a. Shuman U.S. Patent No. 6424995 discloses Method for displaying information contained in an electronic message.
26. b. Cao et al. U.S. Patent No. 6745230 discloses Electronic mail priority alert service.
27. c. Yen et al. U.S. Patent No. 6668278 discloses Information retrieval system using an internet multiplexer to focus user selection.
28. d. Obhan U.S. Patent No. 5875302 discloses Communication management system having communication thread structure including a plurality of interconnected threads.
29. e. Brisebois et al. U.S. Patent No. 6330550 discloses Cross-media notifications for e-commerce.
30. f. Drake et al. U.S. Patent No. 6347374 discloses Event detection.
31. g. Hejza U.S. Patent No. 6577628 discloses Providing quality of service (QoS) in a network environment in which client connections are maintained for limited periods of time.
32. h. Scannell et al. U.S. Patent No. 5377354 discloses Method and system for sorting and prioritizing electronic mail messages.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

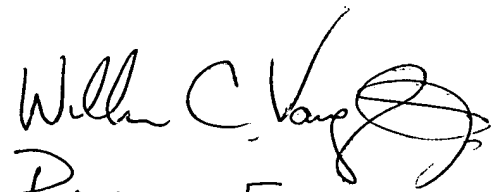
Art Unit: 2143

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. England  
Examiner  
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De 

  
Primary Examiner  
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William C. Vaughn, Jr.